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| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b> |  | ATTORNEY'S DOCKET NUMBER<br>3494-0103PUS1                           |
|   |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/522131</b> |
| INTERNATIONAL APPLICATION NO.<br>PCT/HU2003/000065  | INTERNATIONAL FILING DATE<br>8 August 2003 | PRIORITY DATE CLAIMED<br>9 August 2005                              |
| TITLE OF INVENTION USE OF FERMENTED WHEAT GERM EXTRACT AS ANTI-INFLAMMATORY AGENT   |  |   |
| APPLICANT(S) FOR DO/EO/US Máté HIDVÉGI and Ákos RESETÁR   |  |   |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below. ✓
- ☒ The US has been elected (Article 31). ✓
- ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - ☒ is attached hereto (required only if not communicated by the International Bureau).
  - ☐ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - ☐ is attached hereto.
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☒ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☒ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

- ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ A preliminary amendment.
- ☐ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: PCT/ISA/210; PCT/IPEA/409; PCT/IB/304 & Seventeen (17) Sheets of Formal Drawings

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|  |                     |   |   |  |                        |
|--|---------------------|---|---|--|------------------------|
| U.S. APPLICATION NO. <b>107522131</b><br><small>(If known, see 37 CFR 1.51)</small>  |                     | INTERNATIONAL APPLICATION NO.<br><b>PCT/HU2003/000065</b>                     |   | ATTORNEY'S DOCKET NUMBER<br><b>3494-0103PUS1</b> |                        |
| 21. The following fees are submitted:<br><input checked="" type="checkbox"/> a) Basic national fee ..... <b>\$300.00</b><br><input checked="" type="checkbox"/> b) Examination fee ..... <b>\$200.00</b><br><input checked="" type="checkbox"/> c) Search fee ..... <b>\$500.00</b><br><br><b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>  |                     |   |   | <b>Applicant Use</b>                             | <b>Office Use Only</b> |
|  |                     |   |   | \$ 300.00  |                        |
|  |                     |   |   | \$ 200.00  |                        |
|  |                     |   |   | \$ 500.00  |                        |
|  |                     |   |   | \$ 1,000.00                                      |                        |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.  |                     |   |   |  |                        |
| Total Sheets   | Extra sheets        | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE  |  |                        |
| 39 - 100 =   | /50 =               |   | x \$250.00  |  |                        |
| Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).   |                     |   |   | \$   |                        |
| <b>CLAIMS</b>  | <b>NUMBER FILED</b> | <b>NUMBER EXTRA</b>   | <b>RATE</b>   |  |                        |
| Total claims   | 10 - 20 =           |   | x   | \$ 0.00  |                        |
| Independent claims   | 4 - 3 =             | 1   | x 200.00  | \$ 200.00  |                        |
| MULTIPLE DEPENDENT CLAIM(s) (if applicable)  |                     |   | +   | \$   |                        |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |                     |   |   | \$ 1,200.00                                      |                        |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  |                     |   |   | \$ 600.00  |                        |
| <b>SUBTOTAL =</b>  |                     |   |   | \$ 600.00  |                        |
| Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).  |                     |   |   | \$   |                        |
| <b>TOTAL NATIONAL FEE =</b>  |                     |   |   | \$ 600.00  |                        |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property   |                     |   |   | \$   |                        |
| <b>TOTAL FEES ENCLOSED =</b>   |                     |   |   | \$ 600.00  |                        |
| <b>Amount to be refunded:</b>  |                     |   |   |  | \$                     |
| <b>Amount to be charged:</b>   |                     |   |   |  | \$                     |
| a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>600.00</u> to cover the above fees is enclosed.<br>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-2448</u> . A duplicate copy of this sheet is enclosed.<br>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038. |                     |   |   |  |                        |
| <b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</b>   |                     |   |   |  |                        |
| SEND ALL CORRESPONDENCE TO:  |                     |   |   |  |                        |
| CUSTOMER NUMBER: 02292   |                     |   | <i>ma angle 130040 0691</i><br>SIGNATURE: _____<br>NAME <u>2</u> Marc S. Weiner |  |                        |
| January 24, 2005   |                     |   | 32,181  |  |                        |
| /smt   |                     |   | REGISTRATION NUMBER   |  |                        |

0115 Rec'd PCT/PTO 24 JAN 2005

Docket No.: 3494-0103PUS1  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Máté HIDVÉGI et al.

Application No.: Not Yet Assigned

Confirmation No.: N/A

Filed: January 24, 2005

Art Unit: N/A

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For: USE OF FERMENTED WHEAT GERM EXTRACT  
AS ANTI-INFLAMMATORY AGENT

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Examiner: Not Yet Assigned

**LETTER**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The PTO is requested to use the amended sheets/claims attached hereto (which correspond to Article 19 amendments or to claims attached to the International Preliminary Examination Report (Article 34)) during prosecution of the above-identified national phase PCT application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §1.16 or 1.14; particularly, extension of time fees.

Dated: January 24, 2005

Respectfully submitted,

MSW/smt

By Marc S. Weiner (15,004,000)

Marc S. Weiner

Registration No.: 32,181

BIRCH, STEWART, KOLASCH &amp; BIRCH, LLP

8110 Gatehouse Rd

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

Attachment(s)